

# **TIVERTON TOWN COUNCIL AGENDA**

**Tiverton Town Hall**

**343 Highland Road**

**Tiverton, Rhode Island 02878**

**Regular Meeting: Monday, December 10, 2012 at 7:00 p.m.**

**NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 forty-eight (48) hours in advance of the meeting date.**

**DATE POSTED: 12-06-2012**

## **1. PLEDGE OF ALLEGIANCE TO THE FLAG**

## **2. ROLL CALL**

**Edward Roderick-President James J. Arruda Joan B. Chabot Denise M. deMedeiros-Vice President William P. Gerlach Jay J. Lambert  
Brett N. Pelletier**

## **3. APPROVAL OF CONSENT AGENDA**

**All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in**

its normal sequence on the agenda.

**4. A. BUSINESS BROUGHT BEFORE THE COUNCIL**

**CONSENT AGENDA:**

**(C.A.) 1. a. Approval of Minutes From Regular Council Meeting  
November 26, 2012**

**b. Approval of Executive Session Minutes of November 26, 2012**

**c. Approval of November 29, 2012 Council Workshop  
Minutes**

**d. Approval of Executive Session Minutes from Special Council  
Meeting November 1, 2012**

**Councilors Arruda, deMedeiros and Gerlach Abstain- Did not attend  
meeting**

**(C.A.) 2. Receipt of Minutes from the Following Boards,  
Commissions**

**a. Planning Board (3)**

**b. Open Space and Land Preservation Commission**

**c. Historical Cemeteries**

**d. Harbor and Coastal Waters Management Commission**

**(C.A.) 3. Correspondence – Receive and File**

**a. Report From Barbara Pelletier on November 20th Meeting of  
Newport & Bristol County**

**Convention and Visitors Bureau**

**b. Information Received From Barbara Pelletier Regarding Old**

## **Stone/Sakonnet River Bridges**

**Discussed at November 26th Meeting**

**c. Report On Placing Paws From Barbara Pelletier - Discussed at November 26th Meeting**

**d. Announcement of Attorney General's Open Government Summit 101 to be Held at**

**Community College of Rhode Island in Lincoln on Tuesday, January 8, 2013**

**e. Copy of Correspondence From David Campbell to Wastewater Management Regarding**

**Tiverton Yacht Club Proposed Zoning Amendment Article VI, Section 7 – Elimination of**

**Septic Setbacks**

**f. Memorandum From A/O Kate Michaud Regarding Planning Board Members for Draft Zoning**

**Ordinance Amendment Submitted by Tiverton Yacht Club**

**g. Newport County Community Mental Health Center Regarding Services Provided**

**(C.A.) 4. Town Clerk – Extension of Bay Street Moratorium to June 30, 2013**

**(C.A.) 5. Kate Michaud, Planning Board Administrative Officer's November Activity Report**

**(C.A.) 6. Town Administrator – Three Year Revenue & Expense**

## **Forecast Being Forwarded to School**

### **Committee With Request for Joint Meeting**

#### **A-7 OPEN PUBLIC FORUM FOR ANNOUNCEMENTS, COMMENTS, QUESTIONS**

#### **B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS**

#### **C. BOARD OF LICENSING**

**1. Shannon Farrell d/b/a Coastal Nutrition, 1723 Stafford Road – Requests Approval of Victualling License for New Business Subject To Meeting All Legal Requirements**

**2. JLC Construction, 1 Pierce Avenue, Marion, MA – Requests Approval of Street Excavator's License Subject To Meeting All Legal Requirements**

**3. Black Goose Company d/b/a Black Goose Café, 2160 Main Road – Requests Victualling License Continued From November 26th Meeting**

#### **D - APPOINTMENTS & RESIGNATIONS:**

**1. Harbor Master David E. Vannier – Requests Re-Appointment to Harbor Master Position to Expire on December 31, 2013 –**

## **Recommendation From Harbor & Coastal Waters Management Commission**

### **2. Interviews for Boards and Commission Vacancies Advertised For Appointments on January 14th**

- a. Juvenile Hearing Board – Donna Cook, 192 Hilton Street**
- b. Stone Bridge Committee – Harris E. Gruber, 345 Hancock Street**
- c. Economic Development – Susan Gill, 1392 Main Road**
- d. Stone Bridge Committee – Mary Ziepniewski, 1723 Main Road**

### **E - UNFINISHED BUSINESS:**

#### **1. Councilor Gerlach – Review Current Status of Stafford Pond Water Quality Including Water Quality Testing Data for Calendar Years 2010-2012 – Continued From November 26th Meeting**

- a. Update From Tom Ramotowski, Chair Conservation Commission**

#### **2. Councilor Lambert –Status Report From Town Treasurer Regarding Unreserved General Fund and Anticipated Tax Revenue Surplus**

### **F – FINANCIAL BUSINESS:**

#### **1. Town Administrator – Requests Approval for Transfer of Funds From Acct#102-799 (Future Needs) to Acct#333-107 (Police Health & Wellness) for \$13,500**

## **G - NEW BUSINESS:**

**1. Todd Strunk, Amicable Congregational Church, UCC – Request Council Authorization for 5K Walk/Run “Moving to the Music” on Saturday, April 6, 2013 from 7:30a.m. to 12:00 p.m.**

**a. Police Chief Blakey Recommendation**

**2. Councilor Gerlach – Debrief From December 3rd and 4th Public Input Sessions and Planning Next Steps for Tolls Opposition**

## **H – BIDS AND REQUESTS FOR PROPOSALS**

## **I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS**

## **J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS**

## **K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS**

**1. Old Ranger School - Release of Right of Reverter and Re-Entry**

## **L- TOWN CLERK ITEMS AND ANNOUNCEMENTS**

## **5. CLOSED EXECUTIVE SESSION**

**1. Town Solicitor – 42-46-5(a)(2) – Litigation – James Pelletier/Tiger**

## **Tree vs Tiverton**

**2. Town Solicitor – 42-46-5(a)(2) – Litigation (Potential) – Tiverton Yacht Club**

**3. Town Administrator – 42-46-5(a)(5) – Disposition of Public Property – Nonquit School**

**A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended**

**6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”**